



8-6-04

2653

41

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV479817810US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 4, 2004

Signature: _____

(Marco Jimenez)

Docket No.: 393032024400
Client reference: Y1104U (H7494US)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jun ISHII et al.

Application No.: 09/837,103

Confirmation No.: 9005

Filed: April 18, 2001

Art Unit: 2653

For: METHOD FOR RECORDING
ASYNCHRONOUSLY PRODUCED DIGITAL
DATA CODES, RECORDING UNIT USED
FOR THE METHOD, METHOD FOR
REPRODUCING THE DIGITAL DATA
CODES, PLAYBACK UNIT USED FOR THE
METHOD AND INFORMATION STORAGE
MEDIUM

Examiner: Bach Q. Vuong

RECEIVED

AUG 10 2004

Technology Center 2600

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 8, 2004, Applicants hereby elect without traverse Group I for continued examination. The July 8 Office Action states that Group I includes claims 1-9 and 38-40. Applicants have confirmed with the Examiner that Group I actually includes claims 1-27 and 38-43. Applicants note that claims 28 and 29 will also be examined with the claims of Group I.

Applicants expressly reserve their right under 35 U.S.C. §121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032024400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 4, 2004

Respectfully submitted,

By 

Mehran Arjomand

Registration No.: 48,231

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5630